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A1  
1. (amended) A method for diagnosing breast cancer in a non-lactating subject, comprising determining whether or not mammary gland sodium/iodide symporter (mgNIS) is expressed in breast tissue of the subject, wherein detection of expression of mgNIS in the breast tissue is indicative of breast cancer in the subject, and no detection of expression of mgNIS in the breast tissue is indicative of the absence of breast cancer in the subject.

A2  
3. (amended) The method of Claim 1, wherein the expression of mgNIS is detected using an agent that specifically and selectively binds to mgNIS.

A3 B2  
7. (amended) The method of Claim 1, wherein the expression of mgNIS is detected using at least one nucleic acid probe that specifically and selectively hybridizes to nucleic acid encoding mgNIS.

Please cancel Claims 12-28 without prejudice to applicants' right to pursue prosecution of these claims in a later-filed continuation or divisional application.

#### REMARKS

Claims 1-28 were pending in the above-identified application. By this Amendment, applicants have amended Claims 1, 3, and 7 to better define applicants' invention, and have cancelled Claims 12-28 without prejudice. The amendments to Claims 1, 3, and 7 are supported by the application as originally filed, and do not introduce new material. Accordingly, entry of the amendments to Claims 1, 3, and 7 is respectfully requested.